

Prosecuting Attorney with Mr. Douglas Lloyd, Eaton County

Keywords

Abuse and Neglect – In cases related to children, abuse is mistreatment of a minor by an adult legally responsible for the minor. Neglect is the failure of a parent, guardian, or custodian of a minor to provide the minor with proper or necessary support, education, medical care, or physical care; also, the failure to provide a fit home environment for the minor.

Allegation – Something that is not yet proven in court.

Attorney – A professional who has earned a law degree, passed the bar exam, and is licensed by the State Bar of Michigan to practice law in the state. Also known as a lawyer or counsel.

Burden of Proof – The duty to prove a fact or facts in dispute. In criminal cases, the prosecution must prove its case “beyond a reasonable doubt.” In most civil cases, the plaintiff must prove its case by a “preponderance of the evidence.”

Business Law – Laws related to business, including antitrust, contracts, corporate governance, employment, intellectual property, and liability.

Charge – An accusation of breaking a specific criminal law.

Child Support – In domestic relations cases, ongoing payments made by a parent to meet the financial needs of that parent’s child, including medical, dental, educational, and child care expenses.

Civil Infraction – Something that is not allowed by law that is not a crime and for which civil sanctions may be ordered. Many traffic violations are classified as civil infractions.

Crime – Violation of criminal law punishable by imprisonment and/or a fine and/or costs (money).

Crime Victim – Under Michigan’s Crime Victim’s Rights Act, someone who has suffered direct harm from a felony (a serious crime). A close relative may act on behalf of the victim if he or she is too hurt to follow through. If the victim is not alive, a close relative is considered the victim. Neither the defendant nor someone charged in the same crime may exercise victim’s rights.

Crime Victim’s Rights Act – Since 1985, victims of serious crimes have had specific rights under Michigan law. These include the right to be informed when court proceedings will happen, the right to attend trial, the right to talk with the prosecution, and the right to restitution, court-ordered payments by the defendant for the victim’s loss. See [1985 PA 87](#).

Defendant – The person against whom a lawsuit is started or a crime is charged.

Due Process – The fundamental procedural rules that guarantee “fair play” in the conduct of legal proceedings. Due process includes the right to notice and a hearing, the right to an impartial judge and jury, the right to present evidence on one’s own behalf, the right to confront one’s accuser, the right to be represented by counsel, etc.

Hearing – A court proceeding on the record. Hearings are often used to determine issues arising before or after the full trial of a case and may be less formal than the trial.

Judge – An elected official given authority to make decisions in civil and criminal proceedings in a court of justice. To serve in the state’s judicial branch of government, a judge must be admitted to the practice of law for at least five years and be less than 70 years old at the time of election or appointment (to fill a vacancy). A justice is a judge of a supreme court.

Jury – Members of a community chosen to decide the facts of a cases in a trial court. For more information see [Best of Justitia: Jury Service](#) (PDF).

Juvenile Cases – Through September 30, 2021, cases involving a minor under the age of 17; thereafter, a juvenile is a minor under the age of 18. See [MCL 712A.2](#).

Law School – A three-year course of study after earning a bachelor’s (undergraduate) degree; schools must be accredited (officially approved) by the American Bar Association.

Major – A field of study at the undergraduate level with requirements to assure a student has a particular level of knowledge.

Mandated – Required.

Michigan Compiled Laws (MCL) – For example, see [MCL 49.153](#).

Personal Protection Order – An order issued by a circuit court protecting an individual from stalking or domestic violence.

Private Practice – Working as an attorney independently or as part of a group of attorneys who are in business together.

Prosecuting Attorney – An attorney that brings criminal cases to court on behalf of the People of the State of Michigan.

Prosecutor — A prosecuting attorney. An elected official in each county; the chief law enforcement officer of each county.

Prosecutor’s Office – Usually refers to a prosecutor and all the staff that work for him or her, including assistant prosecutors, support staff, and victim’s rights advocates.

Rights of the Accused – Rights guaranteed to persons who are accused of a crime, including the right to present evidence on one’s own behalf, the right to confront one’s accuser, the right to be represented by counsel, etc.

Sentence – The punishment imposed upon the defendant following a conviction in a criminal proceeding.

Statute – A law in the State of Michigan enacted by the State Legislature.

Statutory – Required by law.

Traffic – Cases related to traffic tickets and driving-related crimes.

Trial – In criminal cases, court proceedings where witnesses are presented and facts are decided to determine whether the defendant is guilty or not guilty.

For more definitions, see the Michigan Judicial Institute’s [Handbook of Legal Terms](#).